

### **REMARKS/ARGUMENTS**

Applicant has carefully reviewed and considered the Final Office Action mailed on May 17, 2004, and the references cited therewith.

Claims 1, 7, 19, and 25 are amended, no claims are canceled, and claims 33-37 are added; as a result, claims 1-5, 7, 8, 10-27, and 29-37 are now pending in this application.

Applicant respectfully submits that claims 33-37 do not introduce any new subject matter and are intended to cover additional claimable subject matter fully supported by the originally filed specification.

#### **§103 Rejection of the Claims**

Claims 1-5, 7, 8, 10-16, 18-22, 24-27, and 29-32 were rejected under 35 USC § 103(a) as being unpatentable over Barber, et al. (U.S. Patent No. 6,690,298) and further in view of Feyereisen, et al. (U.S. 2003/0132860).

In the office action, dated May 17, 20004, the Examiner cited col. 5, lines 21-26, and Figs. 2 and 3 of the Barber reference as describing “an interchangeable display region with a set of aircraft wingtip markers relative to a horizon line while the horizon line is maintained in a fixed position and is maintained in a fixed parallel orientation with the top of the display.”

From the Applicant's review of the Barber reference, the reference appears to describe the interchangeable use of a multifunction display and a primary flight display, e.g., two different displays. (See column 5, lines 21-26 of the Barber reference). Additionally, in Figures 2 and 3 of the Barber reference appear to illustrate two different types of Vertical Terrain Profiles (VTP) on a multifunction display. In Barber, Figure 2 appears to illustrate a “side-on” VTP for a selected swathe width and Figure 3 appears to illustrate an “end-on view” VTP of the aircraft position that shows swathe lines on either side of an aircraft. (See Abstract).

Neither Figure 2 nor Figure 3 illustrate a display region that can interchangeably display a dynamic motion for a set of aircraft wingtip markers relative to a geographic horizon line while the horizon line is maintained in a fixed position **and on the same display, interchangeably display** a dynamic motion of the horizon line and other geographical features while the set of aircraft wingtip markers

is maintained in a fixed parallel orientation with a top of the bezel, as recited in Applicant's independent claims 1, 7, 19, and 25 as amended.

From the Applicant's review of the Barber reference, the reference further does not describe such an interchangeable functionality as recited in these independent claims.

In contrast, Applicant's independent claims 1, 7, 19, and 25, as amended, recite in part:

wherein the at least one display region can interchangeably display a dynamic motion for a set of aircraft wingtip markers relative to a geographic horizon line while the horizon line is maintained in a fixed position and on the same display, interchangeably display a dynamic motion of the horizon line and other geographical features while the set of aircraft wingtip markers is maintained in a fixed parallel orientation with a top of the bezel.

The Applicant respectfully submits that the "side-on" and "end-on view" VTP's of Barber are not equivalent to the language contained in Applicant's independent claims 1, 7, 19, and 25 which distinguish the interchangeable functionality of a display to switch between dynamic motion for a set of aircraft wingtip markers relative to a geographic horizon line while the horizon line is maintained in a fixed position and on the same display, interchangeably display a dynamic motion of the horizon line and other geographical features while the set of aircraft wingtip markers is maintained in a fixed parallel orientation with a top of the bezel.

The Examiner references US Patent no. 5,475,594 to illustrate a top bezel. The Examiner then further recites that the Feyereisen reference shows dynamic motion with a representation of the aircraft (parag 19, lns 10-19; parag 21, lns 1-7; parag 0046, lns 1-15).

From the Applicant's review of Oder and Feyereisen, these references do not address, teach or suggest a display that can **interchangeably** display dynamic motion for a set of aircraft wingtip markers relative to a geographic horizon line while the horizon line is maintained in a fixed position and on the same display, interchangeably display a dynamic motion of the horizon line and other

geographical features while the set of aircraft wingtip markers is maintained in a fixed parallel orientation with a top of the bezel.

As such, Applicant respectfully submits that each and every element and limitation of Applicant's independent claims 1, 7, 19, and 25, as amended, are neither described, taught and/or suggested in the Barber, Oder, and Feyereisen references, either independently or in combination. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the 103 rejection for these claims, as well as the claims which depend therefrom.

Allowable Subject Matter

Claims 23 was objected to as being dependent upon a rejected base claims, but was indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 23 depends from independent claim 19. For the reasons presented above, Applicant believes that independent claim 19, as amended, is in condition for allowance. Reconsideration and allowance for these claims is respectfully requested.

New Claims

Applicant has added new claims 33-37 which further illustrate distinguishing features of the present application. By way of example, and not by way of limitation, independent claim 33 recites novel and non-obvious subject matter as indicated by the Examiner in reference to the language of dependent claim 23. Claims 33-37 are fully supported by the specification as originally filed, do not introduce any new matter, and are hereby introduced solely for the purpose of exhibiting additional claimable embodiments available for the application as originally filed. Accordingly, Applicant respectfully requests consideration of new claims 33-37 upon review of this case.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 659-9340.

At any time during the pendency of this application, please charge any additional fees or credit overpayment to the Deposit Account No. 501-791.

**Additionally, please direct all future correspondence regarding this case to:  
1200 E. 151ST ST., OLATHE, KS 66062, ATTENTION: DEVON A. ROLF.**

**CERTIFICATE UNDER 37 CFR §1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS AF Commissioner for Patents, P.O. BOX 1450 Alexandria, VA 22313-1450, on this 23rd day of June, 2004.

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Respectfully Submitted,  
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